**GOVERNMENT OF ANDHRA PRADESH**

**ABSTRACT**

Public services- HM&FW Dept-Allegation of corruption against Dr.B.C.K.Naik, Civil Surgeon, Government Headquarters hospital, Rajahmundry-Disciplinary action initiated-Further action dropped on "Benefit of Doubt"- suspension period from 30.03.2005 to 24.08.2006 treated as "not on duty"-Orders- Issued – Certain modification- orders – Issued.

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**HEALTH, MEDICAL & FAMILY WELFARE (VC.I) DEPARTMENT**

G.O.MS.No. 56 Dated: 14-05-2018

Read the following:-

1. G.O.Rt.No.340, HM&FW VC.1 (2) Dept,dt.28.03.2005.
2. G.O.Rt.No.1117, HM&FW VC.1(2) Dept,dt.23.08.2006
3. G.O.Rt.No.1446, HM&FW VC.1(2) Dept,dt.17.11.2006
4. G.O.Rt.No.59, HM&FW VC.1(2) Dept,dt.16.01.2009
5. G.O.Rt.No.58, HM&FW VC.1(2) Dept,dt.16.01.2009
6. G.O.Rt.No.1347, HM&FW VC.1 (2) Dept,dt.01-09-2012.
7. Representation dt:08-10-2102 of Dr. B.C.K. Naik, Civil Surgeon, Govt. Headquarters hospital, Rajahmundry.
8. G.O.Ms.No.80, HM&FW (VC.1) Dept, dated;18-6-2013.
9. Orders of Hon'ble APAT in its orders dated;16-08-2017 in OA.No.2927/2014
10. Representation dt;31-10-2017 Dr.B.C.K.Naik, Civil Surgeon Specialist,Government Hqrs Hospital,Rajahmahendravaram.

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**ORDER**:

In the G.O.8th read above, orders were issued, treating the suspension period of Dr. B.C.K. Naik, Civil Surgeon, Government Headquarters Hospital, Rajahmundry from 30.03.2005 to 24.08.2006 as "not on duty " under FR-B(7) as further action was dropped against him on "Benefit of Doubt".

2. Aggrieved by the above orders, the individual has filed OA.NO.2927/2014 before Hon'ble Tribunal and the Hon'ble APAT passed the following orders vide reference 9th read above;-

> " *in the result, the OA is partly allowed directing the first respondent Government to modify G.O.Ms.No.80, HM&FW (VC1) Dept, dated;18-6-2013 treating suspension period of the applicant from 30-3-2005 to 24-8-2006 as leave period to his credit and also if the leave period to his credit is not sufficient, to treat the balance leave period as leave not due. VMA is closed.*

3. In the reference 10th read above, Dr.B.C.K.Naik, Civil Surgeon Specialist, Government Headquarters Hospital,Rajahmahendravaram has requested the Government to issue necessary orders to regularize his suspension period from 30.03.2005 to 24.08.2006 as ordered by the Hon'ble APAT in the reference 9th read above.

4. Government after careful examination of the matter have decided to *modify the orders issued in the G.O.8th read above treating the suspension period of the applicant i.e.,* Dr.B.C.Naik,Civil Surgeon Specialist, Government Headquarters Hospital, Rajamahendravaram *from 30-3-2005 to 24-8-2006* as leave to which he is eligible or leave not due.

5. Accordingly, Government hereby order to *modify the orders issued in the G.O.8th read above, treating the suspension period of the applicant i.e.,* Dr.B.C.Naik,Civil Surgeon Specialist, Government Headquarters Hospital, Rajamahendravaram *from 30-3-2005 to 24-8-2006* as leave to which he is eligible or leave not due in the absence of availability sufficient leave at his credit as on that date.

(P.T.O)

6. The Commissioner, AP.Vaidhya Vidhana Parishad, Vijayawada shall take further action in the matter accordingly.

**(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)**

**Dr. POONAM MALAKONDAIAH**
**PRINCIPAL SECRETARY TO GOVERNMENT**

To
The individual through Commissioner, AP.Vaidhya Vidhana Parishad, Vijayawada.
The Commissioner, AP.Vaidhya Vidhana Parishad, Vijayawada.
SF/SC.

**// FORWARDED :: BY ORDER//**

**SECTION OFFICER**